

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARTIN J. BIBBS,

Plaintiff,

v.

W. J. SULLIVAN, et al.,

Defendants.

Case No.: 1:21-cv-01145 ADA CDB (PC)

**ORDER REGARDING STIPULATIONS  
FOR VOLUNTARY DISMISSAL WITH  
PREJUDICE**

(Docs. 27 & 28)

Plaintiff Martin J. Bibbs is proceeding pro se in this civil rights action brought pursuant to 42 U.S.C. § 1983.

On September 7, 2023, counsel for Defendant Eaton filed a Stipulation for Voluntary Dismissal with Prejudice of Defendant Eaton. (Doc. 27.) It states the parties stipulate to the dismissal of Plaintiff's claims against Dr. Eaton and that each party shall bear its own litigation costs and fees. (*Id.* at 2.) It is signed and dated by Plaintiff Martin J. Bibbs and Sean W. Lodholz, counsel for Dr. Eaton. (*Id.*) That same date, counsel for Defendants Chavez and Rubalcava filed a Stipulation for Voluntary Dismissal with Prejudice. (Doc. 28.) It states the parties "have resolved this case in its entirety" and that each party shall bear its own litigation costs and attorney's fees. (*Id.* at 2.) The stipulation is signed and dated by Plaintiff Martin J. Bibbs and Sean W. Lodholz, counsel for Defendants Chavez and Rubalcava. (*Id.*)

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1 Accordingly, this action is terminated by operation of law without further order from the  
2 Court. Fed. R. Civ. P. 41(a)(1)(A)(ii). The Clerk of the Court is directed to terminate all pending  
3 motions, hearings and deadlines and to close this case.

4 IT IS SO ORDERED.

5 Dated: September 8, 2023

  
UNITED STATES MAGISTRATE JUDGE